

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MOB ENTERTAINMENT, INC.,

Plaintiff,

- v. -

LLC GRATEFUL DIGITAL FRIEND,

Defendant.

Cause No.:

COMPLAINT

JURY TRIAL DEMANDED

Plaintiff Mob Entertainment, Inc. (“Mob Entertainment”) by its undersigned counsel as and for its Complaint against Defendant LLC GRATEFUL DIGITAL FRIEND (“Grateful Digital”) hereby alleges as follows:

NATURE OF THE ACTION

This is a copyright infringement action arising out of Grateful Digital’s unauthorized and willful actions in obtaining a copyright application bearing Mob Entertainment’s copyrights.

THE PARTIES

1. Plaintiff Mob Entertainment is a Missouri corporation, having a principal place of business at 720 Olive Street, Saint Louis, MO 63101.
2. On information and belief, Defendant Grateful Digital is a Ukrainian limited liability corporation having a principal place of business at 15, Khokhovykh Simui str Kyiv, 04119, Ukraine.

JURISDICTION AND VENUE

3. This action arises under 17 U.S.C. § 101 et seq. for infringement of copyrights owned by Mob Entertainment.

4. This Court has subject matter jurisdiction over this copyright infringement claim pursuant to 28 U.S.C. §§ 1331, 1332(a), and 1338(a).

5. This Court has personal jurisdiction over Grateful Digital because, among other things, Grateful Digital's conduct constituting copyright infringement constitutes sufficient minimum contacts for due process, and the exercise of jurisdiction would not offend traditional notions of fair play and substantial justice.

6. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(c)(3). Venue is proper as to a foreign defendant in any district.

BACKGROUND

Mob Entertainment and the Copyrighted Works




7. Mob Entertainment began in 2014 as a hobby outlet for animated passion projects and has grown into a digital media company.






8. Mob Entertainment is the creator, owner, and distributor of Poppy Playtime, a popular streaming video game, boasting over 74,000 reviews on Steam, a Microsoft Windows gaming platform. Poppy Playtime is also distributed on gaming consoles (such as PlayStation and Switch) and on other websites, such as Roblox.com. With Steam, consoles, and Roblox, Poppy Playtime has over 40,000,000 players worldwide.




9. Since being released in October 2021, Poppy Playtime has achieved global success and has led to "Poppy Playtime: Chapter 2" being released in March 2022, and "Poppy Playtime: Chapter 3" being released in January 2024.

10. Mob Entertainment has created various original works of visual art found in the video game Poppy Playtime and its related videos and products.

11. Mob Entertainment owns many copyright registrations for the Poppy Playtime video game, including the registrations from Poppy Playtime: Chapter 3 shown in Table 1 below, also attached as Exhibit 1, hereto.

Copyright	Copyright Reg. No.	Copyrighted Design
CH3 Main Character CatNap (big)	VAU001501019	
CH3 Main Character CatNap (plush)	VAU001501018	
CH3 Character 2 Bobby BearHug (plush)	VAU001505729	

Copyright	Copyright Reg. No.	Copyrighted Design
		
<p>CH3 Character 3</p> <p>Hoppy Hopscotch</p> <p>(plush)</p>	<p>VAU001505841</p>	 
<p>CH3 Character 4</p> <p>KickinChicken</p> <p>(plush)</p>	<p>VAU001505833</p>	 

Copyright	Copyright Reg. No.	Copyrighted Design
<p>CH3 Character 5</p> <p>DogDay</p> <p>(plush)</p>	<p>VAU001505728</p>	
<p>CH3 Character 6</p> <p>Bubba Bubbaphant</p> <p>(plush)</p>	<p>VAU001505840</p>	
<p>CH3 Character 7</p> <p>PickyPiggy</p> <p>(plush)</p>	<p>VAU001505843</p>	





Copyright	Copyright Reg. No.	Copyrighted Design
		
CH3 Character 8 CraftyCorn (plush)	VAU001505842	 
Smiling Critters Logo	1-13792422361	


Table 1

Infringement by Defendants

12. Grateful Digital willfully and knowingly applied for and received a copyright covering Mob Entertainment's copyrighted works. For example, shown below in Figures 1 and 2 are screenshots of the copyright registration received by Grateful Digital.

Certificate of Registration

This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

 *Shirra Polmutter*
United States Register of Copyrights and Director

Registration Number
VA 2-385-159
Effective Date of Registration:
January 12, 2024
Registration Decision Date:
March 04, 2024

Title _____
Title of Work: Graphic image "Amusing Critters"

Completion/Publication _____
Year of Completion: 2023
Date of 1st Publication: October 15, 2023
Nation of 1st Publication: Ukraine

Author _____
• **Author:** Pavlo Dmytriiev
Author Created: 2-D artwork
Citizen of: Ukraine
Domiciled in: Ukraine
Year Born: 1993

Copyright Claimant _____
Copyright Claimant: LLC «GRATEFUL DIGITAL FRIEND»
15, Khokhlovykh Simyi str., Kyiv, 04119, Ukraine
Transfer statement: By written agreement

Rights and Permissions _____
Organization Name: LLC «GRATEFUL DIGITAL FRIEND»
Address: 15, Khokhlovykh Simyi str.
Kyiv 04119 Ukraine

Certification _____
Name: Taras Rudyy

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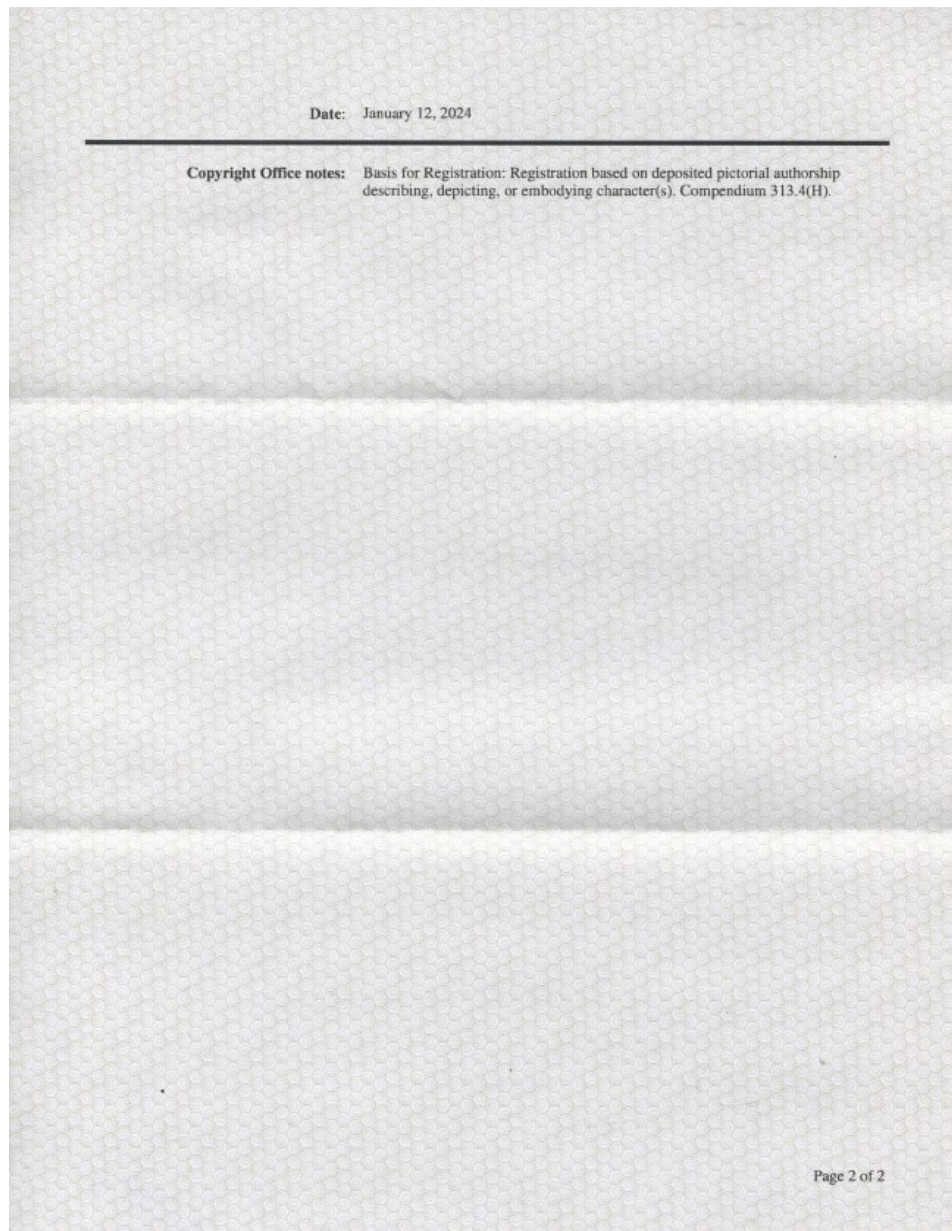



Figure 1

LLC GRATEFUL DIGITAL FRIEND
 Code:44890606
 Address: 15, Khokhovykh Simui str,
 Kyiv, 04119, Ukraine.
 Email: gratefuldigitalfriend@gmail.com

Confirmation letter

To Whom It May Concern:

This letter confirms that LLC «GRATEFUL DIGITAL FRIEND» possess the copyright for the characters specified below. These characters are formally registered with the U.S. Copyright Office, and we can provide documented evidence of their registration issued by the U.S. Copyright Office. Scanned copies of these documents are available upon request.

Title of work
Amusing Critters
Official registration number
VA0002385159
Copyrighted work


Director



Pavlo Dmytriiev

Figure 2

Notice of Infringement to Defendants

13. On June 3, 2024, counsel for Mob Entertainment sent a letter to Grateful Digital via email, offering to resolve Grateful Digital's unauthorized use of Mob Entertainment's copyrights. The June 3, 2024, letter is attached as Exhibit 2, hereto.

14. This lawsuit was necessitated because Grateful Digital has refused to expressly abandon its copyright covering Mob Entertainment's copyrighted works.

COUNT I

FEDERAL COPYRIGHT INFRINGEMENT OF THE CATNAP COPYRIGHT
(17 U.S.C. § 501)

15. Mob Entertainment repeats and incorporates herein each of the preceding paragraphs.

16. CatNap is an original work of Mob Entertainment and is protectable by the copyright laws of the United States.

17. Mob Entertainment owns all rights and title to the copyright for CatNap.

18. Grateful Digital has copied, filed for a copyright, and received a copyright including CatNap.

19. Grateful Digital's conduct has infringed on Mob Entertainment's rights in CatNap.

20. Mob Entertainment has been damaged by the aforementioned infringement. Mob Entertainment claims actual damages or statutory damages and attorney fees for Grateful Digital's infringement of the CatNap copyright.

COUNT II

FEDERAL COPYRIGHT INFRINGEMENT OF THE BOBBY BEARHUG COPYRIGHT
(17 U.S.C. § 501)

1. Mob Entertainment repeats and incorporates herein each of the preceding paragraphs.
2. Bobby BearHug is an original work of Mob Entertainment and is protectable by the copyright laws of the United States.
3. Mob Entertainment owns all rights and title to the copyright for Bobby BearHug.
4. Grateful Digital has copied, filed for a copyright, and received a copyright including Bobby BearHug.
5. Grateful Digital's conduct has infringed on Mob Entertainment's rights in Bobby BearHug.
6. Mob Entertainment has been damaged by the aforementioned infringement. Mob Entertainment claims actual damages or statutory damages and attorney fees for Grateful Digital's infringement of the Bobby BearHug copyright.

COUNT III

FEDERAL COPYRIGHT INFRINGEMENT OF THE HOPPY HOPSCOTCH
COPYRIGHT (17 U.S.C. § 501)

1. Mob Entertainment repeats and incorporates herein each of the preceding paragraphs.
2. Hoppy Hopscotch is an original work of Mob Entertainment and is protectable by the copyright laws of the United States.
3. Mob Entertainment owns all rights and title to the copyright for Hoppy Hopscotch.

4. Grateful Digital has copied, filed for a copyright, and received a copyright including Hoppy Hopscotch.

5. Grateful Digital's conduct has infringed on Mob Entertainment's rights in Hoppy Hopscotch.

6. Mob Entertainment has been damaged by the aforementioned infringement. Mob Entertainment claims actual damages or statutory damages and attorney fees for Grateful Digital's infringement of the Hoppy Hopscotch copyright.

COUNT IV

FEDERAL COPYRIGHT INFRINGEMENT OF THE KICKINCHICKEN COPYRIGHT
(17 U.S.C. § 501)

1. Mob Entertainment repeats and incorporates herein each of the preceding paragraphs.

2. KickinChicken is an original work of Mob Entertainment and is protectable by the copyright laws of the United States.

3. Mob Entertainment owns all rights and title to the copyright for KickinChicken.

4. Grateful Digital has copied, filed for a copyright, and received a copyright including KickinChicken.

5. Grateful Digital's conduct has infringed on Mob Entertainment's rights in KickinChicken.

6. Mob Entertainment has been damaged by the aforementioned infringement. Mob Entertainment claims actual damages or statutory damages and attorney fees for Grateful Digital's infringement of the KickinChicken copyright.

COUNT V

FEDERAL COPYRIGHT INFRINGEMENT OF THE DOGDAY COPYRIGHT (17 U.S.C. § 501)

1. Mob Entertainment repeats and incorporates herein each of the preceding paragraphs.

2. DogDay is an original work of Mob Entertainment and is protectable by the copyright laws of the United States.

3. Mob Entertainment owns all rights and title to the copyright for DogDay.

4. Grateful Digital has copied, filed for a copyright, and received a copyright including DogDay.

5. Grateful Digital's conduct has infringed on Mob Entertainment's rights in DogDay.

6. Mob Entertainment has been damaged by the aforementioned infringement. Mob Entertainment claims actual damages or statutory damages and attorney fees for Grateful Digital's infringement of the DogDay copyright.

COUNT VI

**FEDERAL COPYRIGHT INFRINGEMENT OF THE BUBBA BUBBAPHANT
COPYRIGHT (17 U.S.C. § 501)**

1. Mob Entertainment repeats and incorporates herein each of the preceding paragraphs.
2. Bubba Bubbaphant is an original work of Mob Entertainment and is protectable by the copyright laws of the United States.
3. Mob Entertainment owns all rights and title to the copyright for Bubba Bubbaphant.
4. Grateful Digital has copied, filed for a copyright, and received a copyright including Bubba Bubbaphant.
5. Grateful Digital's conduct has infringed on Mob Entertainment's rights in Bubba Bubbaphant.
6. Mob Entertainment has been damaged by the aforementioned infringement. Mob Entertainment claims actual damages or statutory damages and attorney fees for Grateful Digital's infringement of the Bubba Bubbaphant copyright.

COUNT VII

**FEDERAL COPYRIGHT INFRINGEMENT OF THE PICKYPIGGY COPYRIGHT (17
U.S.C. § 501)**

1. Mob Entertainment repeats and incorporates herein each of the preceding paragraphs.
2. PickyPiggy is an original work of Mob Entertainment and is protectable by the copyright laws of the United States.
3. Mob Entertainment owns all rights and title to the copyright for PickyPiggy.

4. Grateful Digital has copied, filed for a copyright, and received a copyright including PickyPiggy.

5. Grateful Digital's conduct has infringed on Mob Entertainment's rights in PickyPiggy.

6. Mob Entertainment has been damaged by the aforementioned infringement. Mob Entertainment claims actual damages or statutory damages and attorney fees for Grateful Digital's infringement of the PickyPiggy copyright.

COUNT VIII

FEDERAL COPYRIGHT INFRINGEMENT OF THE CRAFTYCORN COPYRIGHT (17 U.S.C. § 501)

1. Mob Entertainment repeats and incorporates herein each of the preceding paragraphs.

2. CraftyCorn is an original work of Mob Entertainment and is protectable by the copyright laws of the United States.

3. Mob Entertainment owns all rights and title to the copyright for CraftyCorn.

4. Grateful Digital has copied, filed for a copyright, and received a copyright including CraftyCorn.

5. Grateful Digital's conduct has infringed on Mob Entertainment's rights in CraftyCorn.

6. Mob Entertainment has been damaged by the aforementioned infringement. Mob Entertainment claims actual damages or statutory damages and attorney fees for Grateful Digital's infringement of the CraftyCorn copyright.

COUNT IX

**FEDERAL COPYRIGHT INFRINGEMENT OF THE SMILING CRITTERS LOGO
COPYRIGHT (17 U.S.C. § 501)**

1. Mob Entertainment repeats and incorporates herein each of the preceding paragraphs.
2. The Smiling Critters Logo is an original work of Mob Entertainment and is protectable by the copyright laws of the United States.
3. Mob Entertainment owns all rights and title to the copyright for Smiling Critters Logo.
4. Grateful Digital has copied, filed for a copyright, and received a copyright including Smiling Critters Logo.
5. Grateful Digital's conduct has infringed on Mob Entertainment's rights in Smiling Critters Logo.
6. Mob Entertainment has been damaged by the aforementioned infringement. Mob Entertainment claims actual damages or statutory damages and attorney fees for Grateful Digital's infringement of the Smiling Critters Logo copyright.

PRAYER FOR RELIEF

WHEREFORE, Mob Entertainment prays for relief as follows:

- A. For a judgment determining that Grateful Digital has infringed Mob Entertainment's copyrights in violation of 17 U.S.C. § 501;
- B. For a finding that such copyright infringement was willful;
- C. For a judgment awarding Mob Entertainment (i) its actual damages in an amount to be determined, (ii) any profits of Grateful Digital, (iii) statutory damages of \$150,000 per act

of infringement, and (iv) costs of this action including attorneys' fees as permitted pursuant to 17 U.S.C. §§ 504 and 505;

D. For a judgment preliminarily and permanently enjoining and restraining Grateful Digital, including its officers, directors, employees, agents, and servants, and all those in active concert of participation with any of them, from directly or indirectly infringing Mob Entertainment's copyrights;

E. For a judgment awarding Mob Entertainment any other damages to which it is entitled under statute or common law; and

F. For such other and further relief as the Court deems just and proper.

DEMAND FOR A JURY TRIAL

Mob Entertainment hereby demands a trial by jury in this action.

Date: June 14, 2024

/s/ Matthew L. Cutler
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